



STATE OF RHODE ISLAND

Public Utilities Commission

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Chairman Ronald T. Gerwatowski
Commissioner Abigail Anthony
Commissioner John C. Revens, Jr.

MEMORANDUM

To: Chairman Gerwatowski, Commissioners Anthony and Revens
Copy: File
From: Cynthia G. Wilson-Frias, Chief of Legal Services
Date: September 6, 2022
Re: Docket No. 5247 – Revity Energy LLC’s Petition for Dispute Resolution – Staff Report

This Report is submitted pursuant to Section 9.2 of The Narragansett Electric Company (Narragansett) Standards for Connecting Distributed Generation, RIPUC No. 2244 (DG Tariff). The matter has been resolved.

On March 30, 2022, Revity Energy LLC (Revity) submitted a Petition for Dispute Resolution under Section 9.0 of the DG Tariff, seeking the issuance and full execution of Interconnection Service Agreements (ISAs) for its Weaver Hill projects. These projects were the subject of a Declaratory Judgment Petition filed with the Public Utilities Commission (Commission) by Revity. That Petition was assigned Docket No. 5235 to address the question of whether the law and DG tariff allowed Narragansett to assign cost sharing to projects where a third-party developer rather than Narragansett was constructing the System Modifications. According to Revity, Narragansett would not provide executable ISAs until the DJ Petition was decided. Revity indicated in its Petition that it would be willing to execute ISAs that contemplated the cost-sharing subject to refund if the Commission had ruled that Narragansett-facilitated cost-sharing in a third-party self-build scenario as not allowed. (Pet. at 2).

On April 13, 2022, Narragansett filed a Response to the Petition wherein it stated that based on Revity’s representation that it would agree to an ISA that provides for payments that assume, arguendo, that National Grid has authority to facilitate cost-sharing, Narragansett was willing to negotiate language with Revity to this end and present final, executable ISAs to Revity once the negotiation is complete. (Response at 6).

The parties consented to my assistance with the dispute resolution and an initial meeting was conducted on April 20, 2022. The meeting was productive and resulted in a schedule for negotiations between the parties. Follow-up status meetings were held on May 5, 2022, and May 19, 2022, during which the parties explained they were in productive negotiations. On July 21, 2022, Revity’s legal counsel advised me that all of the ISAs had been executed by Revity and returned to Narragansett. He indicated that once Narragansett had executed the ISAs, the matter could be closed. To date, I have received no other communications from the parties and consider this matter resolved.